

Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of

Administration of the North
American Numbering Plan

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

CC Docket No. 92-237
Phases One and Two

REPLY COMMENTS OF THE
AMERICAN PUBLIC COMMUNICATIONS COUNCIL

The American Public Communications Council ("APCC") submits the following reply to comments filed in response to the Commission's Notice of Proposed Rulemaking on the North American Numbering Plan.

I. UNIFORM DIALING

APCC believes that the significance of uniform dialing goes beyond the specific dialing issue raised in the Notice regarding the use of the 1+ prefix as a toll indicator. Increasingly, the industry is seeing a proliferation of new numbering formats being developed and implemented for an increasingly wide variety of purposes, including "N11," "555-XXXX," "500-NXX-XXXX," and numerous others. The FCC should begin a practice of assessing up front the implications of these new numbering formats for dialing patterns and how dialing patterns relate to carrier billing practices.

A great deal of confusion could develop, for example, if the same numbering format is associated with different billing practices as used by different service providers in different

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jurisdictions. For example, an "N11" or "555-XXXX" format might be treated as a free call in some areas, a direct-billed long distance call in others, and a direct-billed 900-style information service in still others. Such variations could have serious implications for independent public payphone ("IPP") providers, who must ensure that their payphones are correctly programmed to process calls and that their payphone lines are not billed for calls for which they are unable to bill end users. Such variations also could affect other equipment suppliers and users who need to be sure that equipment is correctly programmed to process calls. In the equipment context, the absence of nationwide uniformity and predictability of billing can mean greatly increased software and programming costs, and a greater risk of programming glitches that add more costs.

APCC urges the Commission to take a more active role in supervising the development of new numbering formats and to take steps to promote nationwide uniformity of dialing patterns and associated billing practices.

II. PHASE II ISSUES

A. Feature Group D Expansion

Numerous parties agree that there should be a transition period of six years or more to phase in the introduction of 101XXXX access codes to replace the existing "10XXX" codes. Comments of APCC at 4; COMPTTEL at 2, n.4; LCI at 1; MCI at 17; NATA at 10; OPASTCO at 5; Vartec at 6. These 10XXX codes (such as AT&T's well

known "10288" code) are increasingly familiar to and used by more and more customers, who collectively make hundreds of millions of calls annually by dialing 10XXX codes from public telephones.

The only parties supporting a transition period less than six years are GTE and some of the Bell Companies. The main concern of these local exchange carriers ("LECs") is that the 1010XXX, 1015XXX and 1016XXX format codes will be exhausted before the end of the transition period. Therefore, they argue that the transition period should be as short as possible to avoid any risk of exhausting those codes. Smaller LECs, by contrast, support a six-year transition period. Comments of OPASTCO at 5.

Any risk of premature code exhaustion can be avoided by careful adherence to strict limitations on assignment of new Feature Group D codes. APCC strongly supports the recommendation of Bellcore that the FCC limit new feature group D carrier identification code ("CIC") assignments to one CIC per entity. According to Bellcore, under these conditions the supply of FGD codes will last approximately 11 years at the current rate. Comments of Bellcore at 8. Further, no entity should be assigned or allowed to retain a 10XXX or 101XXXX code if it does not actually use Feature Group D access.

Aggressive reclamation of unused codes will also help to avoid any risk of premature exhaustion. See, e.g., Comments of Sprint at 14; Vartec at 4. According to Bellcore, the FCC has not directed the administrator to engage in involuntary reclamation. Therefore, it is not surprising that there is massive redundancy

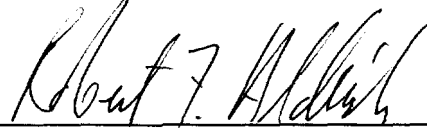
in existing code assignments. APCC notes, for example, that the June 1993 listing of CIC codes indicates some 38 Feature Group D codes have been assigned to LDDS (not including additional codes assigned to companies which have been recently acquired by LDDS). APCC is not aware of any legitimate reason why LDDS should be allowed to retain more than 38 different 10XXX codes.

Some LECs claim that it would be discriminatory to allow some IXC's to continue using 10XXX dialing while others must begin using 101XXXX dialing. See, e.g., Comments of BellSouth at 13. Whatever the difference in convenience between 10XXX and 101XXXX dialing, any harm to the public interest from such discrimination is de minimis. There are several hundred interexchange carriers ("IXCs") who will continue to be able to offer consumers 10XXX dialing during the transition period. In light of the hundreds of choices already available to consumers, any discrimination suffered by entities who are not able to obtain a 10XXX code is of minimal significance -- consumers will not lose anything as a result.¹

¹Further, as Allnet notes, LECs will continue to have exclusive use of 1+ dialing for intraLATA calls. Allnet at 2, 6-7. The difference in convenience between 1+ dialing and 101XXXX dialing is clearly greater than the difference between 10XXX and 101XXXX dialing.

For all the foregoing reasons, the FCC should mandate a transition period for 101XXXX codes of 6-12 years, and should direct Bellcore and its successor to undertake aggressive CIC conservation and reclamation measures.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Robert F. Aldrich", written over a horizontal line.

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